

## SENATE BILL NO. 239

INTRODUCED BY D. RYAN

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE DEFINITION OF BASIC ENTITLEMENT TO INCREASE THE ENTITLEMENT FOR SENIOR HIGH SCHOOLS AND 4-YEAR HIGH SCHOOLS FROM \$206,000 TO \$250,000 AND TO INCREASE THE ENTITLEMENT FOR EACH ELEMENTARY SCHOOL THAT IS NOT AN APPROVED AND ACCREDITED JUNIOR HIGH SCHOOL, 7TH AND 8TH GRADE SCHOOL, OR MIDDLE SCHOOL FROM \$18,540 TO \$50,000; PROVIDING AN ENTITLEMENT OF \$100,000 FOR EACH ELEMENTARY DISTRICT WITH AN APPROVED AND ACCREDITED JUNIOR HIGH SCHOOL, 7TH AND 8TH GRADE SCHOOL, OR MIDDLE SCHOOL; AMENDING SECTION 20-9-306, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-9-306, MCA, is amended to read:

**"20-9-306. Definitions.** As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "BASE" means base amount for school equity.

(2) "BASE aid" means:

(a) direct state aid for 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district; and

(b) guaranteed tax base aid for an eligible district for any amount up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement budgeted in the general fund budget of a district, and up to 40% of the special education allowable cost payment.

(3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, and up to 140% of the special education allowable cost payment.

(4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.

(5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

(6) "Basic entitlement" means:

(a) ~~\$206,000~~ \$250,000 for each high school ~~district as defined in 20-6-501(2)(b) or (2)(c);~~

(b) ~~\$18,540~~ \$50,000 for each elementary school ~~district or K-12 district elementary program without that is not~~ an approved and accredited junior high school, 7th and 8th grade school, or middle school; and

(c) ~~the prorated entitlement~~ \$100,000 for each elementary ~~school district or K-12 district elementary program~~ with an approved and accredited junior high school, 7th and 8th grade school, or middle school, ~~calculated as follows:~~

~~—— (i) \$18,540 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus~~

~~—— (ii) \$206,000 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.~~

(7) "Direct state aid" means 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, and up to 153% of special education allowable cost payments.

(9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.

(10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:

(a) for a high school district or a K-12 district high school program, a maximum rate of \$5,015 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;

(b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of \$3,763 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:

(i) a maximum rate of \$3,763 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of \$5,015 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB."

**NEW SECTION. Section 2. Effective date -- applicability.** [This act] is effective July 1, 2001, and applies to school district budgets beginning on or after July 1, 2001.

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